Doe v. MySpace, Inc. Doc. 1 Att. 9

TAB B-6

Dockets.Justia.com

FILED IN DISTRICT COURT
COOKE COUNTY, TEXAS

08 APR 11 PM 1:44

DIST. CLERK PAT PAYNE
BY ______ DEPUTY

Vinson&Elkins

Christopher V. Popov cpopov@velaw.com
Tel 512.542.8636 Fax 512.236.3337

April 9, 2008

By Facsimile and E-mail

Jason A. Itkin, Esq.
Arnold & Itkin LLP
5 Houston Center
1401 McKinney Street, Suite 2550
Houston, TX 77010

Re: *Jane Doe, Individually, and as Next Friend of Julie Doe, a Minor, v. MySpace, Inc.*; Case No. 08-112; In the 235th District Court of Cooke County, Texas

Dear Jason:

As we have discussed, this firm has been retained to represent MySpace, Inc. in this action. This letter will serve as an agreement under Rule 11 of the Texas Rules of Civil Procedure as to the following:

1. Plaintiff intends to file a Second Amended Petition and will file a Second Amended Petition by Friday, April 11, 2008. Plaintiff will serve this Second Amended Petition on counsel by fax.

2. MySpace shall have until 30 days following Plaintiff's filing of a Second Amended Petition to move, answer, or otherwise plead in this case.

3. The parties agree that MySpace is not waiving any right or defense concerning jurisdiction, venue, forum, or otherwise.

If this letter accurately reflects your understanding of our agreement, please sign below and fax or e-mail this letter back to me for filing with the court.

CERTIFIED A TRUE COPY
PAT PAYNE
DISTRICT CLERK, COOKE COUNTY, TEXAS
By ______ Deputy

Very truly yours,

Christopher V. Popov

AGREED TO BY:

Jason A. Itkin, by permission

Jason A. Itkin
Attorney for Plaintiff Jane Doe

CERTIFIED A TRUE COPY
PAT PAYNE
DISTRICT CLERK, COOKE COUNTY, TEXAS
By ______ Deputy